

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NATIONWIDE MUTUAL INSURANCE CO.,	:	
successor by merger to	:	
HARLEYSVILLE MUTUAL INSURANCE CO.	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 12-cv-4208
DAVID RANDALL ASSOCIATES, INC.,	:	
and RAYMOND H. MILEY, III,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 24th day of January, 2013, upon consideration of the Plaintiff's Motion for Summary Judgment (ECF No. 14), the Defendants' Response (ECF No. 15), the Defendants' Cross-Motion for Summary Judgment (ECF No. 16), and the Plaintiff's Response (ECF No. 17), it is hereby ORDERED that the Plaintiff's Motion (ECF No. 14) is GRANTED and that the Defendants' Motion (ECF No. 16) is DENIED. Judgment is entered in favor of the Plaintiff and against the Defendants. The Plaintiff has no duty to defend or indemnify the Defendants in the underlying litigation against the Defendants pending in the District of New Jersey. The Clerk is directed to close this case.

BY THE COURT:

/s/ J. Curtis Joyner  
J. CURTIS JOYNER, C.J.